

05/29/01

JC971 U.S. PTO

05/29/01

Please type a plus sign (+) inside this box → ☒

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PTO/SB/05 (11-00)
Approved for use through 10/31/2002 OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	9-15000-7US KD/bm
First Inventor	BONGFELDT, David
Title	INTELLIGENT GAIN CONTROL IN AN ON-FREQUENCY REPEATER
Express Mail Label No.	

JC971 U.S. PTO
05/29/01**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages **42**]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **5**]
5. Oath or Declaration [Total Pages **1**]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s)) ✓
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. _____

Prior application Information: Examiner _____ Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Label **020988** or ☐ Correspondence address below
(Insert Customer No. or Attach bar code label here)

Name Swabey Ogilvy Renault

Address

City

State

Zip Code

Country

Telephone

613-230-6072

Fax

613-230-6706

Name (Print/Type)	Kent Daniels	Registration No. (Attorney/Agent)	44,206
Signature	<i>K. Daniels</i>	Date	05 28 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 449

Complete if Known

Application Number

Filing Date

First Named Inventor

BONGFELDT, David

Examiner Name

Group Art Unit

Attorney Docket No.

9-15000-7US KD/bm

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to.

Deposit
Account
Number

19-5113

Deposit
Account
Name

Swabey Ogilvy Renault

- ☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status
See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money
Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	355
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$ 355.00)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
26	-20** = 6	9	54
Independent Claims	-3** =		0
Multiple Dependent			0

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
103 18	203 9	Claims in excess of 20	
102 80	202 40	Independent claims in excess of 3	
104 270	204 135	Multiple dependent claim, if not paid	
109 80	209 40	** Reissue independent claims over original patent	
110 18	210 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$ 54

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	40
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 40

SUBMITTED BY

Name (Print/Type)

Kent Daniels

Registration No.
(Attorney/Agent)

44,206

Complete (if applicable)

Telephone

613-230-6072

Signature

Date

05 28 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

PATENT APPLICATION FEE DETERMINATION RECORD

Application or Docket Number
9-15000-7US

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)	(Column 3)
FOR	NUMBER FILED	NUMBER EXTRA	
BASIC FEE (37 CFR 1.16(a))			
TOTAL CLAIMS (37 CFR 1.16(c))	26	minus 20 = *	6
INDEPENDENT CLAIMS (37 CFR 1.16(b))		minus 3 = *	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))			

SMALL ENTITY

OR

OTHER THAN
SMALL ENTITY

RATE	FEE
	\$ 355
x 9 =	54
x =	
+ =	
TOTAL	409

RATE	FEE
	\$
x =	
x =	
+ =	
TOTAL	0

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

	(Column 1)	(Column 2)	(Column 3)	(Column 4)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	
Total (37 CFR 1.16(c))	*	Minus	**	=
Independent (37 CFR 1.16(b))	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				

SMALL ENTITY

OR

OTHER THAN
SMALL ENTITY

RATE	ADDI-TIONAL FEE
x \$ =	
x =	
+ =	
TOTAL	0

RATE	ADDI-TIONAL FEE
x \$ =	
x =	
+ =	
TOTAL	0

	(Column 1)	(Column 2)	(Column 3)	(Column 4)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	
Total (37 CFR 1.16(c))	*	Minus	**	=
Independent (37 CFR 1.16(b))	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				

TOTAL
ADDIT. FEE

0

TOTAL
ADDIT. FEE

0

	(Column 1)	(Column 2)	(Column 3)	(Column 4)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	
Total (37 CFR 1.16(c))	*	Minus	**	=
Independent (37 CFR 1.16(b))	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				

TOTAL
ADDIT. FEE

0

TOTAL
ADDIT. FEE

0

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

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05/29/01
jc860 U.S. PTO

SWABEY
OGILVY RENAULT
S.E.N.C.

PATENT AND TRADE MARK AGENTS

Kent Daniels - Tel: (613) 230 6072 Ext. 225
e-mail: kdaniels@swabey.com

May 28, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231
U.S.A.

Sir:

Re: New United States Patent Application
Title: INTELLIGENT GAIN CONTROL IN
AN ON-FREQUENCY REPEATER
Inventor(s): David BONGFELDT
Assignee: Spotwave Wireless Inc.
Our File: 9-15000-7US KD/bm

Transmitted herewith for filing is the patent application of:

INVENTOR: DAVID BONGFELDT

TITLE OF THE INVENTION:

INTELLIGENT GAIN CONTROL IN AN ON-FREQUENCY REPEATER

The following documents are enclosed:

- a) Utility Patent Application Transmittal PTO/SB/05
- b) Our cheque No. **008706**,
Fee Transmittal Form PTO/SB/17 (in duplicate) and Patent
Application Fee Determination Record PTO/SB/06,
covering:

Filing Fee	\$ 355.00
Recording of Assignment	\$ 40.00
Total Number of Claims:	26
Independent claims in excess of 3 (0 @ \$40.00)	\$
Claims in excess of 20 (6 @ \$9.00)	\$ 4.00
Multiple dependent claim (0 @ \$135.00)	\$
Total	\$ 449.00

ROBERT MITCHELL
GUY J. HOULE
PAUL MARCOUX
KEVIN P. MURPHY
JOHN D. MILLER
ROBERT CARRIER
JOAN M. VAN ZANT
MICHEL SOFIA
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BRIAN DALEY
LEIGH D. CRESTOHL
JOANNE CHRIQUI
BENOIT CLERMONT
LEANNE SOUQUET

Administrator
JAMES A. FRASER

ALAN SWABEY [1909-1990]
MELVIN SHER [1935-1994]

A FIRM IN WHICH SWABEY, MITCHELL,
HOULE, MARCOUX & SHER AND
THE LAW FIRM OGILVY RENAULT
ARE PARTNERS

Assistant Commissioner of Patents

- c) Specification/Claims/Abstract
- d) Formal Drawings (5 Sheets - Figs. 1 - 5)
- e) Declaration under 37 CFR 1.63, with
Patent Application Data Sheet
- f) Power of Attorney
- g) Assignment in favor of Spotwave Wireless Inc.
with Recordation Form PTO-1619A
- h) Information Disclosure Statement with PTO Form 1449
- i) Return receipt postcard.

The applicant/inventor qualifies for **small** entity status.

Priority is claimed on United States Patent Application No. 09/809,218, filed March 16, 2001.

Priority is also claimed on Canadian Provisional Application No. 2,323,881, filed October 18, 2000.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to our Account No. 19-5113.

Please note that the address of the agents for the applicant in this matter should be the Montreal address identified in the enclosed Patent Application Data Sheet. Correspondence may be directed to Kent Daniels at the Montreal address of Swabey Ogilvy Renault.

Respectfully submitted,



Kent Daniels
Reg. No. 44,206
Agent of Record
Encls.